

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CHAD S. JOHNSON, :  
Plaintiff, :

v.

SUPERINTENDENT ROBERT MORTON; :  
EDWARD BURNETTE, Deputy of Security; :  
SERGEANT S. PETRIE; LT. KAILVETTI; :  
CORRECTION OFFICER D. ALLEN; :  
CORRECTION OFFICER MASON :  
HAMILTON; CORRECTION OFFICER :  
TRAVIS SMALL; CORRECTION OFFICER :  
JAMES MAKEL; and CORRECTION :  
OFFICER RAYMOND ORTIZ, :  
Defendants. :

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Chambers of Vincent L. Briccetti DH*

**ORDER**

21 CV 986 (VB)

On November 22, 2021, defendants moved to dismiss. (Doc. #38). On December 3, 2021, the Court entered a briefing schedule for the motion, which provided that plaintiff's opposition was due on January 7, 2022, and defendants' reply was due on January 28, 2022. (Doc. #42). Plaintiff did not respond by January 7, 2022.

On January 18, 2022, the Court sua sponte extended plaintiff's deadline to oppose defendants' motion to dismiss to February 17, 2022. (Doc. #43). Moreover, the Court warned plaintiff that no further extensions would be granted, and that if he failed to oppose defendant's motion to dismiss by February 17, 2022, the Court would deem the motion fully submitted and decide it in due course.

To date, plaintiff has not responded to defendants' motion. Thus, the Court deems defendants' motion fully submitted and will decide it in due course.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See Coppededge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: March 2, 2022  
White Plains, NY

SO ORDERED:



Vincent L. Briccetti  
United States District Judge